

2019 JAN -4 AM 11:19

CLERK *[Signature]*
SO. DIST. OF GA.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

JERRY LEE CLARK, SR.,

)

Plaintiff,

)

v.

)

JOHN WILCHER,

)

Defendant.

)

CV418-221

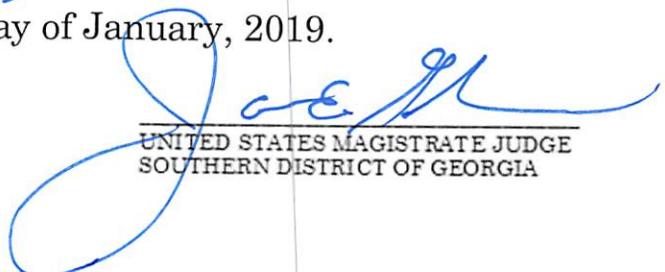
ORDER

Taking as true plaintiff's representation that he attempted to comply with the Court's Order (doc. 4, granting leave to proceed *in forma pauperis* and requiring the submission of certain forms), the Court's Report and Recommendation recommending dismissal for failure to comply with a court order (doc. 5) is **VACATED**. Plaintiff shall have an additional 30 days to submit his Consent to Collection of Fees and Prisoner Account Statement Forms.¹ If he fails to timely do so, the Court will again recommend this case to be dismissed without prejudice. *See* Fed. R. Civ. P. 41(b) (authorizing district courts to dismiss an action for failure to obey

¹ The Clerk is **DIRECTED** to serve plaintiff with an additional copy of both forms.

a court order); L.R. 41.1(c) (authorizing district court to dismiss for lack of prosecution); *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Collins v. Lake Helen, L.P.*, 249 F. App'x 116, 120 (11th Cir. 2007) ("[D]istrict court[s] possesses the inherent power to police [their] docket[s]" and to prune out those cases left to languish by their litigants).

SO ORDERED, this 4th day of January, 2019.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA